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AMENDMENT UNDER
37 C.F.R. §1.116

Address to:
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Washington, D.C. 20231

| | |
|----------------------------------|--|
| Attorney Docket Confirmation No. | AERX061 9995 |
| First Named Inventor | Gonda |
| Application Number | 09/330,903 |
| Filing Date | June 11, 1999 |
| Group Art Unit | 1635 |
| Examiner Name | R. Schnizer |
| Title | Methods of Delivering Aerosolized Polynucleotides to the Respiratory Tract |

OK to file
RS 10/1/02

Sir:

This amendment is responsive to the final Office Action dated April 23, 2002 for which a three-month period for response was given making this response due on or before July 23, 2002. *A Petition for a two-Month Extension of Time is submitted herewith, making this amendment due on or before September 23, 2002.* Accordingly, this response is timely filed.

Applicants submit that the amendments set forth below raise no new issues. Rather, the amendments place the claims in form for allowance or in better form for appeal. Entry of these amendments is thus respectfully requested.

In view of the remarks put forth below, reconsideration and allowance are respectfully requested.

I. AMENDMENTS

IN THE CLAIMS

Cancel claim 65 without prejudice to renewal.

Please enter the amendments to claims 57-60 and 66.

57. (Amended) A method of targeting an area of a patient's respiratory tract, comprising:
delivering an aerosol to a patient while adjusting both aerosol particle size in the aerosol and
volume inhaled;

wherein aerosol particle size is adjusted to an aerodynamic diameter related to a diameter of a
targeted area of the respiratory tract within a range selected from the group consisting of

(a) 1-3 μ m to target alveoli of the respiratory tract;

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